

**DEVELOPMENT PLAN SCHEME ANNUAL UPDATE – LOCAL DEVELOPMENT
PLAN 2**

1.0 EXECUTIVE SUMMARY

1.1 The main purposes of this report are to:-

- Seek Planning, Protective Services and Licensing Committee approval of the attached updated Development Plan Scheme (DPS), including its associated Participation Statement. See Appendix A.
- Obtain authority to publish the approved updated DPS and submit it to the Scottish Ministers.

1.2 The first Argyll and Bute Local Development Plan was adopted in March 2015. The process of planning for its review and replacement began in January 2016 with the preparation of the first Development Plan Scheme (DPS), as agreed at [Council](#). This is the timetable for preparing the replacement Local Development Plan 2 (LDP2). An annual update of the DPS is required to ensure we are still on track in terms of preparation of the LDP2 and to make any necessary adjustments. The first update was approved in [January 2017](#) and the second update was approved in [January 2018](#) (item 6). The preparation of the DPS is a requirement under the Planning Etc. (Scotland) Act 2006.

1.3 This report presents the third update of the Development Plan Scheme. It sets out key milestones in the LDP2 process and how people can become engaged at those stages. It also provides a timetable that will deliver LDP2 by the third quarter of financial year 2020/21. This timetable reflects slippage in the preparation process and exceeds the 5 year period for renewal from adoption of the current Local Development Plan by 7 months.

1.4 Key points to note are:-

- Until the new Local Development Plan is adopted, the current Local Development Plan's statutory status remains. Planning applications will be dealt with as normal.
- The timescales have been revised, but there has been no other significant change to the original DPS in this update.
- the governance regime to ensure the LDP is delivered in an effective and efficient manner was agreed by Council, January 2016, including approval of the DPS by PPSL;

- the Council's statutory duty in respect of producing the Development Plan Scheme;

1.5 It is recommended that the PPSL:-

- i) Notes the contents of this report;
- ii) Approves the updated Development Plan Scheme (DPS) attached in Appendix A of this report for publication and submission to the Scottish Ministers.

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2.0 INTRODUCTION

- 2.1 The Planning Etc. (Scotland) Act 2006 requires each Planning Authority to prepare and keep up to date a Local Development Plan (LDP). This means the authority should aim to prepare a new plan within 5 years of Adoption of the current plan. Until the new Local Development Plan is adopted, the current Local Development Plan's statutory status remains. The current LDP was adopted in March 2020.
- 2.2 The process involves a number of statutory stages and significant engagement with communities, developers, key agencies, councillors and other stakeholders. The **Development Plan Scheme (DPS)** sets out the timetable and consultation process for Local Development Plan 2 and is required to be updated annually to reflect changes in timescale etc. This appendix to this report contains the updated DPS.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that the PPSL:-
- i) Notes the contents of this report;
 - ii) Approves the updated Development Plan Scheme (DPS) attached in Appendix A of this report for publication and submission to the Scottish Ministers.

4.0 DETAIL

Background

- 4.1 The Planning Etc. (Scotland) Act 2006 requires each Planning Authority to prepare a Local Development Plan (LDP) at least every 5 years. Therefore the new Local Development Plan 2 was initially programmed to be in place by March 2020. There has been some slippage in the programme and it is now anticipated that the new Local Development Plan 2 will be adopted by the end of 2020. It should be noted that until the new Local Development Plan is adopted, the current Local Development Plan's statutory status remains. The current LDPs main proposals were set for the period up to year 10 from

adoption. Therefore planning applications will continue to be processed as normal during the short delay period.

- 4.2 The Act sets out the preparation process and procedures associated with the production of the Plan. Given the number of statutory phases, scale of Argyll and Bute, level of resource and nature of the issues to be addressed this process takes over 3 years to complete. The planning authority is measured on its performance in respect of an up to date Local Development Plan by the Scottish Government.
- 4.3 Section 20B of the Planning Etc. (Scotland) Act 2006 requires each Planning Authority to prepare a Development Plan Scheme (DPS) at least annually. The exact requirements for the content and process of the LDP and associated DPS are set out in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008.
- 4.4 The DPS sets out the Council's programme for preparing and reviewing the LDP and what is likely to be involved at each stage. The DPS includes a Participation Statement which details when, how and with whom consultation on the LDP will take place, and the Council's proposals for public involvement in the plan preparation process. In drawing up the DPS regard was had to the statutory requirements in terms of production of a Local Development Plan as well as to good practice as set out in Planning Advice Note 3/2010 Community Engagement. The proposed updated Development Plan Scheme is set out in Appendix A to this report.
- 4.5 The DPS also makes reference to the associated documents in the LDP process, which accompany the Proposed Local Development Plan to the Examination for information purposes. These include:-the Strategic Environmental Assessment draft Environmental Report (helps identify how we can implement development so that it minimises harm to the environment); the Habitat Regulation Appraisal Record (assesses where the LDP may have a significant effect on a European sites); the proposed Action Programme (contains the likely timescale and sequence of development and also actions required to deliver the plan).
- 4.6 Once this updated DPS has been approved by PPSL it is required to be published, copies placed in all public libraries within the planning authority area and 2 copies submitted to the Scottish Ministers. There is no requirement to consult on the content of the DPS. There has been some adjustment of timing in this DPS due to slippage in the work programme.
- 4.7 Since the second update of the DPS the Development Policy Team have undertaken the following actions in the LDP2 process:-
 - Published the updated DPS Jan 2018
 - Considered the responses to the Main Issues Report
 - Additional engagement with Key Agencies and stakeholders on specific issues
 - Held five Councillor Workshops.
 - Started preparation of the Proposed Local Development Plan strategy,

policies and allocations.

- Started preparation of the supporting documents
 - Strategic Environmental Assessment
 - Equality and Socio-Economic Impact
 - Habitat Regulation Appraisal Record
 - Action Programme

4.8 It should be noted that there is currently a planning review underway with the Planning (Scotland) Bill being introduced into Parliament on Dec 4th 2017. This proposes a number of changes, including to the development plan process and the introduction of local place plans, prepared by community bodies. The Bill has now reached stage 3, which is the stage for final consideration of the bill by the Parliament and a decision whether it should be passed or rejected. Interim procedures are liable to be introduced to cater for plans already part way through the current process such as this one.

Governance

4.9 The timeous preparation of development plans requires rigorous and carefully planned project management. The governance arrangements, that support the delivery of LDP2 are set out in the DPS and were approved by Council in January 2016.

- The key stages of i) the Proposed Local Development Plan consultation (setting out the Council's settled view); ii) the submission for Examination (Council's response to any outstanding objections); and iii) decision to Adopt, can go directly to full Council;
- Preparatory and sub stages of i) Main Issues Report (a range of alternatives for consultation), subsequent Development Plan Scheme revisions and Action Programme revisions go to Planning, Protective Services and Licensing Committee only.

Delivery

4.10 The general costs associated with the preparation of LDP2 are met from within the Development Policy budget. The original DPS was based on available resource following the Service Choices process. This was noted as placing a much stronger reliance on the use of e-planning services with some consultation stages conducted online only with assistance in libraries and at service points for those with no online facilities/capability. The reduction in resources has also meant reducing some elements of the process to the statutory minimum, for example in terms of deposit locations, and adverts. This is continued in the current updated DPS.

5.0 CONCLUSION

5.1 Engagement in the preparation of the LDP2 is a vital component in the new Planning Act. The updated DPS continues to set out a clear agenda for the LDP2 process and the associated public consultation as it progresses.

6.0 IMPLICATIONS

- 6.1 Policy The Development Plan Scheme sets out the timetable and consultation process for the production of the new Local Development Plan 2 that will replace the current Argyll and Bute Local Development Plan, adopted March 2015 in due course.
- 6.2 Financial The cost for preparation of the DPS is contained within the Development Policy budget.
- 6.3 Legal There is a statutory duty to approve annually, publish and submit to the Scottish Ministers a Development Plan Scheme.
- 6.4 HR None
- 6.5 Equalities The Development Plan Scheme shows how the Local Development Plan consultation process will be handled to encourage engagement from all. An Equality and Socio-Economic Impact Assessment is being prepared as part of the LDP2 process.
- 6.6 Risk The LDP2 process runs up to October 2020 and therefore there is an uncertainty regarding future resource levels. A further reduction in resource levels would impact further on the timetable set out in the DPS for delivery of the LDP2 Similarly increased demand on service over and above that committed in the DPS could also result in the failure to meet with the anticipated Adoption date shown in the DPS.
- 6.7 Customer Service The Development Plan Scheme sets out how our customers can get involved in the Local Development Plan process.

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APPENDICES

Appendix A : Development Plan Scheme : Local Development Plan 2